

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Request to Initiate a Rulemaking to Allocate the)	RM-11681
1675-1680 MHz Band for Terrestrial Mobile)	
Use Shared with Federal Use)	
)	

REPLY COMMENTS OF COMPETITIVE CARRIERS ASSOCIATION

Competitive Carriers Association (“CCA”) hereby replies to comments filed in response to the Public Notice seeking to refresh the record with respect to Ligado’s Petition for Rulemaking (“Petition”)¹ seeking to reallocate the 1675-1680 MHz band.² To serve the public interest, address growing demand for high-capacity spectrum for mobile use and advance 5G initiatives, the Federal Communications Commission (“FCC” or the “Commission”) should commence a rulemaking to repurpose the 1675-1680 MHz band for non-federal terrestrial mobile use on a shared basis with federal users. Further, the Commission should designate the 1675-1680 MHz band for auction and establish a timeline for that process.

I. INTRODUCTION

CCA applauds the Commission for initiating a comment cycle on the request for a rulemaking regarding reallocation of the 1675-1680 MHz band for sharing between the National Oceanic and Atmospheric Administration (“NOAA”) and a commercial wireless network. Mobile wireless operators urgently need spectrum resources to meet booming consumer demand

¹ *In the matter of Lightsquared Subsidiary LLC*, RM-11681, Petition for Rulemaking (Nov. 2, 2012) (“Petition”).

² *Comment Sought to Update the Record on Ligado’s Request that the Commission Initiate a Rulemaking to Allocate the 1675-1680 MHz Band for Terrestrial Mobile Use Shared with Federal Use*, Public Notice, RM-11681, DA 16-443 (rel. Apr. 22, 2016) (“Public Notice”).

for faster, more advanced mobile broadband services.³ As efficient spectrum use will increase the likelihood that carriers can meet demand for data-intensive wireless services as they move to next generation technologies, the Commission should continue to encourage incumbent spectrum-holding federal agencies to take advantage of sharing opportunities. Granting Ligado's request to open a rulemaking proceeding on this band will serve the public interest and is supported by the record.

II. COMMERCIALIZING 1675-1680 MHz WILL PROVIDE NEW SPECTRUM RESOURCES CRITICALLY NECESSARY TO MEET CONSUMER DEMAND FOR ADVANCED MOBILE SERVICES

Commercializing the 1675-1680 MHz band will result in substantial consumer welfare benefits by enabling more efficient use of 5 MHz of spectrum, which is needed to help meet sharply escalating consumer demand for mobile broadband services and preparing for 5G services. As CTIA explains, demand for spectrum is so great that “even with the broadcast Incentive Auction and the anticipated action in the Spectrum Frontiers proceeding, spectrum supply faces challenges keeping up with demand...[R]epurposing the 1675-1680 MHz band for shared commercial use is one way to help keep the spectrum pipeline flowing.”⁴

The Commission is well aware that in light of the spectrum crunch,⁵ shared federal and commercial use of the spectrum could produce significant public interest benefits, including

³ See Spectrum Crunch, Federal Communications Commission, *available at* <https://www.fcc.gov/general/spectrum-crunch>.

⁴ Comments of CTIA, RM-11681, 2-3 (filed June 21, 2016) (“CTIA Comments”).

⁵ See Spectrum Crunch (“Detailed analysis by Commission staff and industry experts reveals that, despite significant investment in networks and advances in wireless efficiency, demand for mobile broadband service is likely to outstrip spectrum capacity in the near-term. Without action to address this spectrum crunch, service quality is likely to suffer and prices are likely to rise. To realize the economic opportunities of the wireless future, the National Broadband Plan recommended making additional spectrum available for wireless broadband use – 500 megahertz (MHz) by 2020, including 300 MHz for mobile, flexible use by 2015”).

more services for competitive wireless carriers to provide to their customers, reduced prices for consumers, and increased opportunities for innovation. As Public Knowledge and the Open Technology Institute (“OTI”) note in joint comments in support of the Petition, “with 5G technologies on the horizon and the Internet of Things growing at a tremendous pace, the need for additional spectrum for mobile broadband, to support new and innovative products and services, is even more acute [than when Ligado initially filed its Petition in 2012].”⁶ Public Knowledge and OTI aptly describe that “[a]dditional spectrum is clearly necessary for innovative new services, and legacy spectrum allocations, *particularly those held by Federal agencies*, will play a critical role in meeting the consumer and marketplace needs for wireless spectrum in the 21st century.”⁷

Further, repurposing the 1675-1680 MHz band has received bipartisan support and will assist in fulfilling the Administration’s goals of allocating 500 MHz of government spectrum for private sector use.⁸ Additionally, the past four Administration budget requests include language requesting that the FCC either auction or use fee authority to auction and repurpose this spectrum for commercial use.⁹ NTIA also recommends the 1675-1680 MHz band should be included in

⁶ Comments of Public Knowledge and Open Technology Institute at New America, RM-11681, 1 (filed June 21, 2016) (“PK & OTI Comments”).

⁷ *Id.* at 3 (emphasis supplied).

⁸ See Letter from Hon. Brett Guthrie, Member of Congress, and Hon. Doris Matsui, Member of Congress, *et. al.*, to Tom Wheeler, Chairman, FCC, and Lawrence E. Strickling, Assistant Secretary for Communications and Information Administration, NTIA (Feb. 10, 2016) (members of the House Energy and Commerce Committee strongly encouraging the FCC and NTIA to “continue the push toward reallocating even more government spectrum for commercial use,” calling special attention to the 1675-1680 MHz band).

⁹ See Fiscal Year 2014 Analytical Perspectives, Budget of the U.S. Government, Office of Management and Budget, at 228–229; *see also* Fiscal Year 2015 Analytical Perspectives, Budget of the U.S. Government, Office of Management and Budget, at 199; *see also* Fiscal Year 2016 Analytical Perspectives, Budget of the U.S. Government, Office of Management and Budget, at

the 500 MHz of government spectrum to be freed for commercial use.¹⁰ The Commission should seize this opportunity to promote more efficient use of spectrum by initiating a rulemaking addressing reallocation of the 1675-1680 MHz band, and setting an auction timeline.

III. THE RECORD SUPPORTS GRANTING LIGADO’S REQUEST FOR A RULEMAKING PROCEEDING ON THIS ISSUE

The record supports granting Ligado’s request to commence a rulemaking regarding the reallocation and auction of the 1675-1680 MHz band.¹¹ Any outstanding concerns could be further addressed through a rulemaking proceeding.¹² Timely developing an auction schedule will enable prospective licensees to consider this particular spectrum alongside any plans to participate in the upcoming Incentive Auction. Further, granting a rulemaking proceeding is appropriate considering the amount of technical data on record.¹³

215; *see also* Fiscal Year 2017 Analytical Perspectives, Budget of the U.S. Government, Office of Management and Budget, at 220.

¹⁰ *See* National Telecommunications and Information Administration, Plan and Timetable to Make Available 500 Megahertz of Spectrum for Wireless Broadband 7 (October 2010), *available at* https://www.ntia.doc.gov/files/ntia/publications/tenyearplan_11152010.pdf.

¹¹ *See, e.g.*, CTIA Comments; *see also* PK & OTP Comments.

¹² *See* CTIA Comments at 4 (“CTIA agrees that the Commission should commence a rulemaking of 1675-1680 MHz, which will allow for stakeholders to “examine whether the band can be shared with terrestrial commercial operations under rules that would adequately accommodate existing radiosondes prior to their relocation and protect weather satellites in the band”).

¹³ *See* Letter from John P. Janka, Counsel to LightSquared, to Marlene H. Dortch, Secretary, FCC, IBFS File No. SAT-MOD-20120928-00160, *et. al.*, (Jan. 30, 2014) (Alion Task 1 attached), *available at* <http://apps.fcc.gov/ecfs/document/view?id=7521069436>; *see also* Letter from Jeff Carlisle, Executive Vice President for Regulatory Affairs and Public Policy for LightSquared, to Marlene H. Dortch, Secretary, FCC, IBFS File No. SAT-MOD-20120928-00160, *et. al.* (Apr. 14, 2014) (Alion Task 2 attached), *available at* <http://apps.fcc.gov/ecfs/document/view?id=7521098269>.

IV. CONCLUSION

For the foregoing reasons, CCA urges the Commission to initiate a rulemaking to reallocate the 1675-1680 MHz band for shared use by commercial mobile operators with federal government users, and establish an auction schedule for that spectrum. Freeing up 1675-1680 MHz will surely benefit consumers, whose demand for advanced wireless services underscores the need for efficient, productive spectrum use.

Respectfully submitted,

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